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at 10 a.m.
New York

SUMMARY RECORD OF THE 2nd MEETING

Chairman: Mr. MUTHAURA (Kenya)

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The meeting was called to order at 10.45 a.m.

STATEMENT BY THE CHAIRMAN

1. The CHAIRMAN said that there were two broad categories of issues on the Committee's agenda. The first category included items such as decolonization, the Palestinian refugees, Israeli practices in the occupied territories, Western Sahara and the occupied territories of Croatia. Those items would disappear once the problems they dealt with were resolved. During the current session the Committee should endeavour to contribute in the most constructive way to finding solutions to those problems.

2. It was essential to promote the target set by the General Assembly of eradicating colonialization by the year 2000. In the Middle East, the recent signing of the Interim Agreement on the extension of Palestinian administrative authority over the West Bank had reinforced the momentum for durable peace in that region. The occupied Palestinian and other Arab territories were shrinking, and impetus should be given to that trend by a constructive resolution of the Fourth Committee. With regard to the question of Western Sahara, the process of preparing an interim administration and a referendum had proven slower than anticipated. Obstacles needed to be addressed in order to speed up a solution to the problem in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples and the relevant resolutions of the Security Council and the General Assembly.

3. The second category of agenda items concerned issues which would remain a permanent feature of the Committee's agenda. Those included peace-keeping, the peaceful uses of outer space, United Nations activities in the field of public information and the effects of atomic radiation.

4. During the previous four years, peace-keeping operations had assumed an extremely important role in the United Nations as an instrument for maintaining international peace and security and promoting humanitarian activities. Important tasks for the Committee would include following up the implementation of the resolution adopted by the General Assembly on that issue during its forty-ninth session and dealing with the question of improving United Nations peace-keeping. Regarding the growing importance of the exploration of outer space and the need to exploit the achievements of space science for the benefit of all humanity, the Committee was due to consider a progress report from the Committee on the Peaceful Uses of Outer Space. Finally, it would be essential to conduct an effective assessment of how the United Nations was exploiting the achievements of the revolution in information technology. Ironically, although the Organization had continued to do many good things, it was identified mainly with its few shortcomings. Against the background of revitalizing the United Nations system, that was one area which needed to be strengthened.

ELECTION OF OFFICERS

5. Mr. NUÑEZ-MOSQUEIRA (Cuba) nominated Mr. Samadi (Islamic Republic of Iran) for one of the posts of Vice-Chairman.

6. Mr. DELANEY (Papua New Guinea) nominated Mr. Holohan (Ireland) for one of the posts of Vice-Chairman.

7. Mr. Samadi (Islamic Republic of Iran) and Mr. Holohan (Ireland) were elected Vice-Chairmen by acclamation.

8. The CHAIRMAN said that consultations on the candidature for the post of Rapporteur were still under way, and the election would therefore be deferred to the next meeting.

ORGANIZATION OF WORK (A/C.4/50/1 and A/C.4/50/L.1)

9. The CHAIRMAN stressed the need for strict compliance with rule 110 of the rules of procedure of the General Assembly relating to congratulations. He then drew attention to the recommendations on the organization and rationalization of the work of the General Assembly contained in the first report of the General Committee (A/50/250) and considered by the General Assembly at its 3rd meeting of the current session. The General Assembly had, inter alia, endorsed the recommendations of the General Committee concerning the recess and the closing date of the fiftieth session; the schedule of meetings; explanations of vote, right of reply, points of order and length of statements; records of meetings; concluding statements; resolutions; and matters relating to the programme budget.

10. With regard to records of meetings, the General Assembly had approved the recommendation of the General Committee to maintain the practice whereby the former Special Political Committee received full or partial transcripts of certain of its meetings. Where summary records were concerned, in the past the Committee had experienced delays in their distribution owing to the requirement for simultaneous distribution in all languages.

11. Consequently, he proposed that summary records of the Committee's meetings should be distributed as soon as they were ready in the language in which they had been drafted (English, French, Spanish or Russian), on the understanding that the other language versions would be distributed as they became available.

12. Mr. AL-ATTAR (Syrian Arab Republic), supported by Mr. ZAHID (Morocco), wondered why only four languages were being discussed and said that equal treatment of all official languages of the United Nations must be ensured.

13. Mr. MUSTAFA (Secretary of the Committee) explained that distribution of summary records initially in the language in which they had been drafted was a long-standing practice, introduced to enhance the efficiency of the Committee's work. Ultimately, the summary records were distributed in all six languages.

14. Mr. JELBAN (Libyan Arab Jamahiriya) said that the preferential treatment accorded four of the languages was contrary to the rules of procedure.

15. Mr. ZAHID (Morocco) suggested that the Committee should revert to the established rules on the simultaneous distribution of summary records in all six languages.

16. The CHAIRMAN proposed that summary records should be distributed simultaneously in all official languages of the United Nations.

17. It was so decided.

18. THE CHAIRMAN urged Committee members to abide by the decisions adopted by the General Assembly on the recommendations contained in the report of the General Committee and to submit draft resolutions promptly, to ensure that there was sufficient time for the consideration of their programme budget implications. In particular, delegations intending to submit draft resolutions on items towards the end of the Committee's agenda should do so as early as possible.

19. The Committee's attention was drawn to documents A/C.4/50/1, listing the items allocated to the Committee, and A/C.4/50/L.1, containing the timetable for their consideration. As indicated in the second document, the Committee had been allocated 36 meetings, with the possibility of one further meeting subject to the availability of conference services. That allocation had been made on the basis of the number of meetings required for the Committee's agenda in previous years. In drawing up the Committee's programme, he had consulted the substantive units of the Secretariat and the delegations concerned and had been guided by the documentation already available and by the projected dates for the issue of other basic reports.

20. The first items to be considered would be 18, 88, 89, 90 and 12 and 91, all relating to decolonization.

21. With regard to the remaining items, the report of the United Nations Scientific Committee on the Effects of Atomic Radiation, under item 82, had been submitted in document A/50/46. A draft resolution on the item had been prepared and interested delegations should approach the delegation of Peru.

22. With regard to item 83, "International cooperation in the peaceful uses of outer space", the report of the Committee on the Peaceful Uses of Outer Space would be issued in mid-October as document A/50/20, and the Secretary-General's report was contained in document A/50/384.

23. With regard to item 84, "United Nations Relief and Works Agency for Palestine Refugees in the Near East", the Commissioner General's report would be issued in documents A/50/13 and Add.1, and the related reports of the Secretary-General would appear by mid-October.

24. With regard to item 85, "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and other Arabs of the Occupied Territories", two of the Committee's periodic reports in pursuance of resolution 49/36 had already been issued (A/50/170 and A/50/282), and the remaining reports were due to appear by early November.

25. With regard to item 86, "Comprehensive review of the whole question of peace-keeping operations in all their aspects", the report of the Special Committee on Peace-keeping Operations had been issued as document A/50/230.

26. With regard to item 87, "Questions relating to information", the report of the Committee on Information had already been issued as document A/50/21 and the corresponding report of the Secretary-General pursuant to resolution 49/38 B would be issued in document A/50/462.

27. With regard to item 92, "The situation in the occupied territories of Croatia", the report of the Secretary-General in pursuance of resolution 49/43 would be issued shortly.

28. With regard to item 93, "Question of the composition of the relevant organs of the United Nations", no basic documentation was expected.

29. Mr. ZAHID (Morocco) requested that all the reports relating to agenda item 18, including the report on Western Sahara, should be distributed as soon as possible.

30. The CHAIRMAN suggested that the Committee should approve, in principle, the programme of work set out in document A/C.4/50/L.1.

31. It was so decided.

32. The CHAIRMAN noted that bodies and individuals having an interest in the question of the Falkland Islands (Malvinas) (agenda item 48) would be heard in the Committee in conjunction with the consideration of the item in plenary meeting. The Committee would be informed if any requests were received under the item.

33. In connection with agenda item 83 he suggested that, as in previous years, the Committee should establish an open-ended working group chaired by the delegation of Austria to prepare a draft resolution on the item.

34. It was so decided.

35. The CHAIRMAN said that, by approving the suggested outline of work, the Committee had decided to hold a single general debate covering agenda items 18, 88, 89, 90 and 12 and 91, thereby enabling the members to speak on all those items or any one of them at meetings dealing with that cluster of items.

36. At previous sessions, the Fourth Committee, on the recommendation of the Special Committee on decolonization, had usually considered the chapter of the Special Committee's report relating to military activities in Non-Self-Governing Territories in conjunction with the item on foreign economic interests. He took it that the Committee wished to retain that procedure.

37. It was so decided.

AGENDA ITEM 18: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (Territories not covered under other agenda items) (A/50/23 (Part V), chap. IX and (Part VI), chap. X); A/AC.109/2012, 2013 and Corr.1 and Add.1, 2015 and Add.1, 2016 and Add.1, 2017 and Add.1, 2019 and Add.1, 2020 and Add.1, 2021, 2022, 2025, 2028 and 2029; S/1995/240 and Add.1, 404 and 779)

AGENDA ITEM 88: INFORMATION FROM NON-SELF-GOVERNING TERRITORIES TRANSMITTED UNDER ARTICLE 73 e OF THE CHARTER OF THE UNITED NATIONS (A/50/23 (Part IV), chap. VIII and A/50/458)

AGENDA ITEM 89: ACTIVITIES OF FOREIGN ECONOMIC AND OTHER INTERESTS WHICH IMPEDE THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES IN TERRITORIES UNDER COLONIAL DOMINATION (A/50/23 (Part III), chap. V)

AGENDA ITEM 90: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS (A/50/23 (Part IV), chap. VII and A/50/212 and Add.1; A/AC.109/L.1838; E/1995/85)

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (A/50/3, chap. V, sect. C)

AGENDA ITEM 91: OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF NON-SELF-GOVERNING TERRITORIES (A/50/481)

38. Mr. AL-ATTAR (Syrian Arab Republic), Rapporteur of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, introduced the chapters of the Special Committee's report covering its work during 1995 under agenda items 18, 88, 89 and 90 and contained in document A/50/23 (Parts II-VI).

39. The General Assembly, in paragraph 10 of its resolution 49/89 had requested the Special Committee to continue to seek suitable means for the implementation of General Assembly resolution 1514 (XV), to carry out those actions approved by the General Assembly regarding the International Decade for the Eradication of Colonialism, to formulate specific proposals for the elimination of the remaining manifestations of colonialism and to report thereon to the General Assembly at its fiftieth session. The Assembly had also requested the Special Committee to continue to pay special attention to the small Territories, in particular through the dispatch of regular visiting missions, and to recommend to the Assembly the most suitable steps to be taken to enable the populations of those Territories to exercise their right to self-determination and independence.

40. In response to those requests, the Special Committee had again given consideration to the situation in those Territories and had adopted a series of recommendations and proposals, which were contained in chapters IX and X of document A/50/23 (Parts V and VI).

41. The Special Committee, among other things, had reiterated that it was the responsibility of the administering Powers to create such conditions in those Territories as would enable their people to exercise freely their right to self-determination and independence in accordance with resolution 1514 (XV) and that it was for the people of those Territories to determine their future political status, in accordance with the relevant provisions of the United Nations Charter and the Declaration. It had called on the administering Powers, in cooperation

with the territorial Governments, to facilitate programmes of political education in the Territories in order to foster an awareness among the people of the possibilities open to them in the exercise of their right to self-determination in conformity with the legitimate political status options defined in General Assembly resolution 1514 (XV).

42. In reaffirming that it was the responsibility of the administering Powers to promote the economic and social development and preserve the cultural identity of those Territories, the Special Committee had recommended that priority should be given to the strengthening and diversification of their economies. The Special Committee had requested the administering Powers to facilitate the dispatch of United Nations visiting missions to the Non-Self-Governing Territories so that the Committee could review the status of the Terri ories in accordance with the expressed wishes of their inhabitants.

43. The Special Committee noted with regret that France, the United Kingdom and the United States, as administering Powers, had not participated during the current year in its work on the Territories under their administration. The Special Committee expressed its readiness to work with the administering Powers in a spirit of constructive cooperation to achieve the goals of the United Nations in respect of the Non-Self-Governing Territories.

44. With respect to information transmitted by the administering Powers to the Secretary-General under Article 73 e of the Charter, the Special Committee, stressing the importance of the timely transmission of adequate information, requested the administering Powers to transmit to the Secretary-General the information prescribed in Article 73 e of the Charter, as well as the fullest possible information on political and constitutional developments in the Territories concerned, within a maximum period of six months following the expiration of the administrative year in those Territories, and, in that connection, requested the Secretary-General to continue to ensure that adequate information was drawn from all available sources in connection with the preparation of the working papers.

45. The chapters of the report of the Special Committee covering its work during 1995 concerning agenda items 89 and 90 appeared in document A/50/23 (Parts III and IV), chapters V to VII. The Special Committee had considered those items in July and August 1995 and had adopted the relevant decisions, on the basis of which it had formulated its recommendations to the General Assembly. He hoped that the Committee would give its full support to those recommendations.

46. Mr. BANGURA (Sierra Leone), Acting Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, reviewed the background surrounding the preparation of the Special Committee's recommendations in previous years. In 1961, the Special Committee had been given a very clear mandate: to monitor the political, economic and social conditions in the Non-Self-Governing Territories and to report to the General Assembly on the progress achieved in the implementation of the Declaration. Since its establishment, the Special Committee had carried out its mandate faithfully: it had reviewed the situation in the Non-Self-Governing Territories, heard

petitioners, sent visiting missions to the Territories, disseminated information on decolonization, and made suggestions and recommendations on the progress and extent of the implementation of the Declaration in its reports to the General Assembly and the Security Council. Despite the adverse effect which the East-West confrontation had had on the work of the Special Committee for many years, it could be said without exaggeration that the Special Committee had made a more than modest contribution to the success of the United Nations in promoting the exercise by the peoples of colonial Territories of their right to self-determination and independence. Clear evidence of that could be seen in the current membership of the Organization.

47. While remaining faithful to its mandate, the Special Committee had continued to keep its approach and method of work under constant review in order to adjust to changing circumstances and improve its efficiency. Conscious of the fact that the world situation was changing, the Special Committee had in recent years demonstrated a practical, flexible and innovative approach to its work, an approach which was reflected in its recommendations to the Committee. While keeping in mind the interests of the peoples of the Non-Self-Governing Territories, the Special Committee continued to place special emphasis on the specific needs of those Territories and the welfare of their inhabitants.

48. The General Assembly had set the goal of complete decolonization by the year 2000 and had declared the period 1990-2000 as the International Decade for the Eradication of Colonialism. The Special Committee recognized that complete decolonization by the year 2000 would require innovative and realistic solutions. The objective of the Decade could be achieved only through concrete actions based on proposals which responded to the aspirations of the peoples of those Territories regarding their future status, and through the participation of the administering Powers in the work of the Special Committee. It was for that reason that the Special Committee had in recent years concentrated on a new and innovative approach to decolonization issues, while adhering firmly to the relevant principles of the Charter of the United Nations and the resolutions of the General Assembly. In recent years, the Special Committee had paid particular attention to the specific needs of each of the Non-Self-Governing Territories, using all available sources of information, the most authoritative being the views of the people concerned and the Governments of the Territories, whom the Special Committee had systematically encouraged to participate in its work.

49. During a regional seminar of the Special Committee held in July 1995 in Trinidad and Tobago, several leaders of Territorial Governments had recognized the importance of the continued and sustained economic and social development of their Territories, which would promote the exercise of their right to self-determination and independence. In that connection, the Special Committee had concentrated its efforts, in the context of the International Decade, on the search for specific measures which would promote the development of those Territories. To that end, it had sought to secure the cooperation of the administering Powers and urged the specialized agencies of the United Nations to extend all possible assistance to the Non-Self-Governing Territories.

50. Once again, on behalf of the Special Committee, he wished to draw the attention of the administering Powers to the importance which the Special

Committee attached to their cooperation and participation in its work. The Special Committee, in its turn, had expressed a readiness to work with the administering Powers in a spirit of constructive cooperation to achieve the goals of the United Nations in respect of the Non-Self-Governing Territories. The Special Committee believed that the best means of obtaining first-hand information on the problems confronting the people of those Territories was to send United Nations visiting missions to the Territories. It hoped that the administering Powers would cooperate more actively with the United Nations in that regard.

REQUESTS FOR HEARINGS

51. The CHAIRMAN informed the Committee that 12 communications had been received containing requests for hearings on questions relating to Gibraltar, Guam, Western Sahara and New Caledonia, under agenda item 18. He suggested that, in accordance with the usual practice, they should be circulated as documents of the Committee and considered at the following meeting.

52. Mr. ZAHID (Morocco) wished to know who had requested a hearing on the question of Western Sahara.

53. The CHAIRMAN informed the Committee that he had received three requests for hearings on that question: one from the representative of Frente POLISARIO, one from the representative of the Sahara Fund and one from Mr. Frank Ruddy, a private individual.

54. Mr. ZAHID (Morocco) said that Morocco had always supported petitioners' requests for hearings. However, Mr. Ruddy's request was a special case. Mr. Ruddy was a former member of the Secretariat who had served as Deputy Chairman of the Identification Commission of the United Nations Mission for the Referendum in Western Sahara (MINURSO). He had made allegations of irregularities in the work of MINURSO. The Office of Internal Oversight Services of the Secretariat had investigated those allegations, and its findings had been published in document A/49/884. In that document, Mr. Ruddy's allegations had been declared groundless and, in paragraph 32, the Secretariat had noted that Mr. Ruddy's contract had not been extended in view of his past performance and his behaviour as well as his inability to work constructively with the Moroccan authorities and the observers from the Organization of African Unity (OAU). The granting of a hearing to Mr. Ruddy would only hinder and adversely affect the Committee's work. The Committee should therefore not circulate Mr. Ruddy's request as a Committee document.

55. Mr. MIMOUNI (Algeria) said that it was the practice of the Committee to recognize petitioners' right to be heard. He was therefore surprised that one delegation was apparently seeking to veto the hearing of some petitioners. The current case involved a completely independent petitioner who could share the experience that he had gained from working directly in the field, in Western Sahara. Morocco's objections were unfounded and were contrary to the principle of openness and freedom of expression. The Chairman should urge the delegation of Morocco to change its position; otherwise, his delegation would be forced to request the Committee to state its opinion on the matter.

56. Mr. ZAHID (Morocco) said that he did not understand why the delegation of Algeria had been "surprised", since document A/49/884 had been issued in April 1995 and that delegation should be familiar with it. The document, which had been prepared not by Morocco but by the Secretariat, contained the findings of an objective investigation, and all delegations were free to consult that document. The principle of openness had therefore been observed. The petitioner's impartiality was out of the question, since he had served in MINURSO and had made unsubstantiated accusations against that Mission.

57. Mr. MWAMBULUKUTU (United Republic of Tanzania) said that it would be difficult to settle the matter without the necessary information. In that regard, he proposed that the Committee should resolve the issue after it received written notification concerning all the requests for hearings that had been received.

58. The CHAIRMAN said that the Committee could defer its consideration of Mr. Ruddy's request and circulate all the other requests for hearings as Committee documents, which could be considered at the next meeting.

59. Mr. MIMOUNI (Algeria) said that it was the practice of the Committee to circulate requests for hearings as Committee documents and consider them at the following meeting. That was exactly what should be done in the case of the request currently under consideration.

60. Mr. ZAHID (Morocco) said that his delegation was prepared, in a spirit of compromise, to agree to a postponement of a decision on the circulation of Mr. Ruddy's request as a Committee document.

61. Mr. NUÑEZ-MOSQUEIRA (Cuba) said that, in order to determine the validity of requests for hearings received by the Committee, it was first necessary to be able to examine them in the form of Committee documents. The same treatment must be given to all requests, failing which a precedent of a discriminatory and selective approach would be established.

62. Mr. ABDULAI (Ghana) inquired whether the Secretariat or the Chairman was required to consult with the Committee regarding the publication of such documents.

63. The CHAIRMAN said that, in accordance with the Committee's established practice, whenever he received a request for a hearing, he informed the Committee, which then took a decision on whether or not to circulate it as a Committee document.

64. Mr. AL-GHAMDI (Saudi Arabia) proposed that the Committee should defer its consideration of Mr. Ruddy's request for a hearing until consultations had been held.

65. Mr. HOLOHAN (Ireland) proposed that the delegations of Algeria and Morocco should, in a spirit of compromise, allow the Bureau to consider the matter and accept the decision taken on the basis of the Bureau's consultations.

66. Mr. ZAHID (Morocco) said that the Committee, and not the Bureau, should take a decision on the issue, and insisted that the Chairman should preside over consultations in the Committee.

67. Mr. MIMOUNI (Algeria) said that, according to its usual practice, the Committee took decisions on whether or not to hear persons who had submitted requests. However, at the current stage, it was merely a question of circulating such a request.

68. The CHAIRMAN suggested that the Committee should take two decisions: first, whether or not to circulate a request that had been received as a Committee document and, second, whether or not to hear the petitioner. With regard to Mr. Ruddy's request for a hearing on the question of Western Sahara, consultations would be held with the members of the Bureau and the delegations of Morocco and Algeria, and the outcome would be announced at the following meeting. He suggested that the remaining communications containing requests for hearings should be circulated as Committee documents and considered at the following meeting.

69. It was so decided.

The meeting rose at 12.50 p.m.